

FEE EXEMPT

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10 (AGRICULTURAL) POOL

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 FOR THE COUNTY OF SAN BERNARDINO

13 CHINO BASIN MUNICIPAL WATER
14 DISTRICT,

15 Plaintiff,

16 v.

17 CITY OF CHINO et al.,

18 Defendants.

Case No. RCVRS 51010

Assigned for All Purposes to the
Honorable Stanford E. Reichert

AGRICULTURAL POOL'S
OBJECTION AND OPPOSITION TO
MONTE VISTA WATER DISTRICT
AND MONTE VISTA IRRIGATION
COMPANY JOINDER RE CHINO'S
MOTION FOR REIMBURSEMENT OF
ATTORNEYS FEES AND EXPENSES
PAID TO THE AGRICULTURAL
POOL

Date: February 4, 2022
Time: 1:30pm
Dept.: S35

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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION**

3 On January 6, 2022, the Monte Vista Water District and Monte Vista Irrigation Company
4 (Monte Vista) filed its Notice of Joinder and Joinder Re City of Chino’s Motion for
5 Reimbursement of Attorney’s Fees and Expenses Paid to the Agricultural Pool (Monte Vista
6 Joinder) in a one sentence joinder.

7 **II. THE MONTE VISTA JOINDER SHOULD BE DENIED AS UNTIMELY**

8 The Agricultural Pool objects to Monte Vista’s Joinder as untimely. The Court has the
9 authority to set filing deadlines for moving and supporting papers. (Code of Civil Procedure, §
10 1005, subd. (b).) The Court ordered that the City of Chino shall file and serve a motion as to the
11 procedure for reimbursement by January 3, 2022 (within 30 days of the order). (December 2021
12 Order, p. 2:13-15.) Joinders must be filed with the same notice as regular motions. (*Barak v.*
13 *Quisenberry Law Firm* (2006) 135 Cal. App. 4th 654, 660-662 [Joinder allowed when timely
14 filed.]) Monte Vista filed its joinder to Chino’s motion on January 6, 2022, after the Court
15 imposed deadline. Accordingly, the Court should deny the Monte Vista Joinder as untimely.

16 **III. THE MONTE VISTA JOINDER SHOULD BE DENIED ON THE SAME**
17 **GROUND AS THE CITY OF CHINO’S MOTION IT HAS ATTEMPTED TO**
18 **JOIN**

19 Monte Vista did not provide any additional evidence or argument. Accordingly, the
20 Overlying (Agricultural) Pool Committee (Agricultural Pool) hereby opposes the Monte Vista
21 Joinder on the same grounds and argument as the Agricultural Pool’s Opposition to the City of
22 Chino’s Corrected Motion for Reimbursement of Attorney’s Fees and Expenses Paid to the
23 Agricultural Pool and incorporates the arguments therein by reference.

24 **IV. CONCLUSION**

25 For all of the foregoing reasons and those incorporated by reference from the Agricultural
26 Pool’s Opposition to City of Chino’s Corrected Motion for Reimbursement of Attorney’s Fees
27 and Expenses Paid to the Agricultural Pool, the Court should deny the Monte Vista Joinder.
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Dated: January 24, 2022

EGOSCUE LAW GROUP, INC.

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Attorneys for
OVERLYING (AGRICULTURAL) POOL

CHINO BASIN WATERMASTER

Case No. RCVRS 51010

Chino Basin Municipal Water District v. City of Chino, et al.

PROOF OF SERVICE

I declare that:

I am employed in the County of San Bernardino, California. I am over the age of 18 years and not a party to the within action. My business address is Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, California 91730; telephone (909) 484-3888.

On January 24, 2022 served the following:

1. AGRICULTURAL POOL'S OBJECTION AND OPPOSITION TO MONTE VISTA WATER DISTRICT AND MONTE VISTA IRRIGATION COMPANY JOINDER RE CHINO'S MOTION FOR REIMBURSEMENT OF ATTORNEYS FEES AND EXPENSES PAID TO THE AGRICULTURAL POOL

/X/ BY MAIL: in said cause, by placing a true copy thereof enclosed with postage thereon fully prepaid, for delivery by United States Postal Service mail at Rancho Cucamonga, California, addresses as follows:

See attached service list: Master Email Distribution List

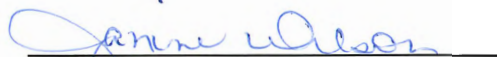
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I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on January 24, 2022 in Rancho Cucamonga, California.



By: Janine Wilson
Chino Basin Watermaster

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